

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LACHANA WILLIAMS, et al.,
Plaintiffs,

v.

COUNTY OF KERN,
Defendant.

Case No. 13-cv-00508-JST

ORDER OF DISMISSAL

On October 7, 2013, this Court severed Plaintiffs' claims against the United States Department of Agriculture and transferred them to the Court of Federal Claims. ECF No. 30. Consequently, the only claims remaining in this action are Plaintiffs' state law claims against the Kern County Fire Department.

Although Plaintiff Rupert Williams has variously given his residence as Florida, New Jersey, and California, at a case management conference held October 11, 2013, he asserted unequivocally that he is a resident of Richmond, California. That is consistent with the Court's electronic docket, which lists Mr. Williams' address as Richmond, California, as well as with the Court's prior Certificates of Service. See ECF No. 8. The Court finds Mr. Williams is therefore a citizen of the State of California.

Defendant Kern County Fire Department is also a citizen of the State of California, as it is a California county.

Because Plaintiffs' claims sound in state law, the only potential basis of federal subject matter jurisdiction is diversity of citizenship. The general diversity statute, however, applies only when there is *complete* diversity, *i.e.*, "only to cases in which the citizenship of each plaintiff is diverse from the citizenship of each defendant." Caterpillar Inc. v. Lewis, 519 U.S. 61, 68 (1996). Because Rupert Williams and the Kern County Fire Department are both citizens of

1 California, complete diversity is not present. Accordingly, the Court lacks subject matter
2 jurisdiction over this matter.

3 Consequently, this action is hereby DISMISSED for lack of subject matter jurisdiction.
4 The Clerk shall close the case file.

5 **IT IS SO ORDERED.**

6 Dated: October 15, 2013

7 
8 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California